

PATENT APPLICATION NO.: 09/938,669  
ATTORNEY DOCKET NO.: 60117.000004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number : 09/938,669 Confirmation No.: 2508  
Applicant : Jens PETERSEN  
Filed : August 27, 2001  
Title : POLYACRYLAMIDE HYDROGEL AS A SOFT TISSUE FILLER  
ENDOPROSTHESIS  
TC/Art Unit : 1615  
Examiner: : Carlos A. Azpuru  
  
Docket No. : 60117.000004  
Customer No. : 21967

**MAIL STOP RCE**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, and in compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, Applicant submits attached Form PTO/SB/08B (modified) for consideration and requests the references cited therein be made of record by the U.S. Patent and Trademark Office in the above-captioned application.

Although it is believed that the references submitted herein are either cumulative to references previously submitted or not material to patentability of the allowed claims, the references are being submitted in copending U.S. Application No. 09/938,667. Therefore, Applicant is submitting the references in the present application with the abundance of caution for the duty of disclosure set forth in 37 C.F.R. § 1.56.

In accordance with 37 C.F.R. § 1.98(a)(2), a copy of the references, except U.S. patents and U.S. patent application publications, are submitted herein. In considering the cited references, it may be noted by the Examiner that certain of the references may contain markings, underlinings, and/or other notations. These markings, underlinings, and/or other notations are not to be construed as drawing the Examiner's attention either to selected parts or away from other parts of the cited references. Any such markings were either present on the copies of the cited

references obtained by the associated individuals, or were made thereon during the study of the references by the associated individuals.

Applicant respectfully points out that the submission of the listed references in this Information Disclosure Statement is not an admission that they are prior art or that they are material to patentability of any claims of the application. Also, the submission of this Information Disclosure Statement is not an indication that a search has been made by the Applicant.

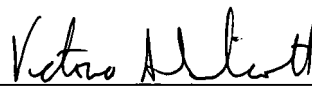
Consideration of the foregoing plus the prompt return of a copy of the enclosed Form PTO/SB/08B with the Examiner's initials in the left column in accordance with M.P.E.P. § 609 are respectfully requested.

A Request for Continued Examination under 37 C.F.R. § 1.114 is being submitted herewith. Thus, in accordance with 37 C.F.R. § 1.97(b), this Information Disclosure Statement is believed to be submitted prior to issuance of a first Office Action on the merits. Accordingly, it is respectfully submitted that no fee is required for consideration of this Information. However, in the event any fee is deemed necessary, the Commissioner is authorized to charge the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

HUNTON & WILLIAMS LLP

Dated: June 13, 2007

By:   
Robin L. Teskin  
Registration No. 35,030

Victoria A. Silcott  
Registration No. 57,443

Hunton & Williams LLP  
Intellectual Property Department  
1900 K Street, N.W.  
Suite 1200  
Washington, DC 20006  
(202) 955-1500 (telephone)  
(202) 778-2201 (facsimile)  
VAS/asc

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

<b>Application Number</b>	<b>09/938,669</b>
<b>Filing Date</b>	<b>August 27, 2001</b>
<b>First Named Inventor</b>	<b>Jens PETERSEN</b>
<b>Art Unit</b>	<b>1615</b>
<b>Examiner Name</b>	<b>Carlos A. Azpuru</b>
<b>Attorney Docket Number</b>	<b>60117.000004</b>

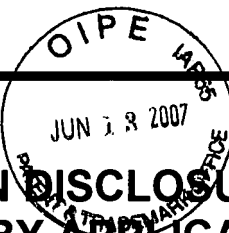
Sheet **1 of 4****U.S. PATENT DOCUMENTS**

*Examiner Initials	Cite No.	DOCUMENT NUMBER Number - Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1.	US- 2002/0187172	12-12-2002	Reb, et al.	
	2.	US- 2003/0171509	09-11-2003	Balestrieri, et al.	
	3.	US- 4,344,193	08-17-1982	Kenny	
	4.	US- 4,502,161	03-05-1985	Wall	
	5.	US- 4,540,569	09-10-1985	Ohnishi, et al.	
	6.	US- 4,571,749	02-25-1986	Fischell	
	7.	US- 4,857,041	08-15-1989	Annis, et al.	
	8.	US- 4,919,667	04-24-1990	Richmond	
	9.	US- 4,969,474	11-13-1990	Schwarz	
	10.	US- 5,171,322	12-15-1992	Kenny	
	11.	US- 5,344,459	09-06-1994	Swartz	
	12.	US- 5,516,532	05-14-1996	Atala, et al.	
	13.	US- 5,667,778	09-16-1997	Atala	
	14.	US- 5,709,854	01-20-1998	Griffith-Cima, et al.	
	15.	US- 5,813,411	09-29-1998	Van Bladel, et al.	
	16.	US- 5,854,382	12-29-1998	Loomis	
	17.	US- 5,902,832	05-11-1999	Van Bladel, et al.	
	18.	US- 6,005,020	12-21-1999	Loomis	
	19.	US- 6,060,053	05-09-2000	Atala	
	20.	US- 6,129,761	10-10-2000	Hubbell	
	21.	US- 6,544,503	04-08-2003	Vanderhoff, et al.	
	22.	US- 6,592,859	07-15-2003	Bley	
		US-			
		US-			

EXAMINER SIGNATURE

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



Substitute for form 1449/PTO

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

**Application Number**

**09/938,669**

**Filing Date**

**August 27, 2001**

**First Named Inventor**

**Jens PETERSEN**

**Art Unit**

**1615**

**Examiner Name**

**Carlos A. Azpuru**

**Sheet**

**2 of 4**

**Attorney Docket Number**

**60117.000004**

## **FOREIGN PATENT DOCUMENTS**

*Examiner Initial	Cite No.	FOREIGN PATENT DOCUMENT		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	TRANSLATION	
		Country Code Number-Kind Code (if known)					YES	NO
	23.	EP	0 248 544	12-09-1987	Annis, et al.		<input type="checkbox"/>	<input type="checkbox"/>
	24.	EP	0 730 847	09-11-1996	Bley		<input type="checkbox"/>	<input type="checkbox"/>
	25.	EP	0 774 981	05-28-1997	Atala, et al.		<input type="checkbox"/>	<input type="checkbox"/>
	26.	EP	0 826 381	03-04-1996	Van Bladel, et al.		<input type="checkbox"/>	<input type="checkbox"/>
	27.	EP	0 830 416	03-25-1998	Vanderhoff, et al.		<input type="checkbox"/>	<input type="checkbox"/>
	28.	EP	0 895 785	02-10-1999	Purkait		<input type="checkbox"/>	<input type="checkbox"/>
	29.	EP	1 059 943	12-20-2000	Vogel, et al.		<input type="checkbox"/>	<input type="checkbox"/>
	30.	EP	1 274 472	01-15-2003	Vogel, et al.		<input type="checkbox"/>	<input type="checkbox"/>
	31.	WO	93/19702	10-14-1993	Ersek, et al.		<input type="checkbox"/>	<input type="checkbox"/>
	32.	WO	96/04026	02-15-1996	Atala, et al.		<input type="checkbox"/>	<input type="checkbox"/>
	33.	WO	96/25129	08-22-1996	Faccioli, et al.		<input type="checkbox"/>	<input type="checkbox"/>
	34.	WO	96/39464	12-12-1996	Vanderhoff, et al.		<input type="checkbox"/>	<input type="checkbox"/>
	35.	WO	98/25575	06-18-1998	Borland, et al.		<input type="checkbox"/>	<input type="checkbox"/>
	36.	WO	99/15211	04-01-1999	Borland, et al.		<input type="checkbox"/>	<input type="checkbox"/>
	37.	WO	99/44643	09-10-1999	Vogel, et al.		<input type="checkbox"/>	<input type="checkbox"/>
	38.	WO	00/59411	10-12-2000	Fell, et al.		<input type="checkbox"/>	<input type="checkbox"/>
	39.	WO	00/78356	12-28-2000	Spiro, et al.		<input type="checkbox"/>	<input type="checkbox"/>
	40.	WO	01/32129	05-10-2001	Kleinsek, et al.		<input type="checkbox"/>	<input type="checkbox"/>
	41.	WO	01/47431	07-05-2001	Forsell		<input type="checkbox"/>	<input type="checkbox"/>
	42.	WO	01/47433	07-05-2001	Forsell		<input type="checkbox"/>	<input type="checkbox"/>

**EXAMINER SIGNATURE**

**DATE CONSIDERED**

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

**Application Number**

**09/938,669**

**Filing Date**

**August 27, 2001**

**First Named Inventor**

**Jens PETERSEN**

## Art Unit

1615

**Examiner Name**

## Carlos A. Azpuru

## Sheet

3 of 4

Attorney Docket Number

**60117.000004**

## FOREIGN PATENT DOCUMENTS

[illegible]

**EXAMINER SIGNATURE**

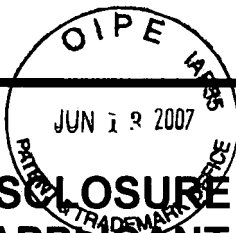
DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)



<b>Application Number</b>	<b>09/938,669</b>
<b>Filing Date</b>	<b>August 27, 2001</b>
<b>First Named Inventor</b>	<b>Jens PETERSEN</b>
<b>Art Unit</b>	<b>1615</b>
<b>Examiner Name</b>	<b>Carlos A. Azpuru</b>
<b>Attorney Docket Number</b>	<b>60117.000004</b>

Sheet **4 of 4**

## OTHER DOCUMENTS - NON-PATENT LITERATURE DOCUMENTS

*Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	TRANSLATION	
			YES	NO
	45.	J.E. Gomez and G.B. Thurston, Comparisons of the oscillatory shear viscoelasticity and composition of pathological synovial fluids, Biorheology 30, 409-427 (1993).	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

EXAMINER SIGNATURE

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.